



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: | Kevin Gunderson <i>et al.</i> |) | Examiner: Betty J. Forman |
| Serial No: | 09/553,993 |) | |
| Filed: | April 20, 2000 |) | Art Unit: 1634 |
| Title: | DETECTION OF NUCLEIC ACID REACTIONS ON BEAD ARRAYS |) | <u>Certificate of Transmission</u> |
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| | |) | Kelly B. Solomon |

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

In response to the Office Action mailed May 30, 2003, Applicants respectfully request that the Examiner consider the following remarks.

REMARKS

Response to Provisional Double Patenting Rejections:

35 U.S.C. § 101

The Examiner has provisionally rejected claims 1-14 as claiming the same invention as that of claims 1-14 of copending Application No. 09/556,463. Applicants respectfully traverse this rejection. As an initial matter, no claims have been allowed in copending Application No. 09/556,463; therefore, as the Examiner notes, the rejection is merely provisional until claims issue in one of the applications. In addition, the Examiner does not indicate which claim in the